

ROBERT A. BUCCOLA, ESQ. / SBN: 112880
HANK G. GREENBLATT, ESQ. / SBN: 143415
LISA J. VENTURA, ESQ. / SBN: 284590
DREYER BABICH BUCCOLA WOOD CAMPORA, LLP
20 Bicentennial Circle
Sacramento, CA 95826
Telephone: (916) 379-3500
Facsimile: (916) 379-3599

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD J.; NORA J. and NOAH J.;
MINORS BY AND THROUGH THEIR
GUARDIAN AD LITEM, CURTIS R. NAMBA,

Plaintiffs,

v.

Case No.: 4:11-CV-04123 YGR

~~[PROPOSED]~~ ORDER GRANTING
AMENDED EX-PARTE MOTION FOR
APPROVAL OF MINORS' COMPROMISE
AS MODIFIED

COUNTY OF ALAMEDA; ALAMEDA
COUNTY SOCIAL SERVICES; DOE
ALAMEDA COUNTY SOCIAL SERVICES'
SOCIAL WORKER; DOE ALAMEDA
COUNTY SOCIAL SERVICES'
SUPERVISOR; WEST COAST CHILDREN'S
CLINIC; DOES 1 through 60 inclusive,

Defendants.

Plaintiffs herein, Ronald J., Nora J. and Noah J., by and through their Guardian Ad Litem, Curtis R. Namba, and their counsel, submitted an Amended Ex Parte Motion for Court Approval of Minors' Compromise of Claims on October 23, 2013, pertaining to a settlement that Plaintiffs Ronald J., Nora J. and Noah J. by and through their G.A.L. Curtis R. Namba, had reached with Defendant County of Alameda.

Upon review of the file and consideration of the Amended Minors' Compromise, the Declaration of Hank Greenblatt and supporting documentation submitted therewith, and the

1 opposition and/or non-opposition of any Defendant provided to the Court prior to the making
2 of this Order, the Court does hereby find and order as follows:

3 Good cause appearing,

- 4 1. The Plaintiffs' claims against the County of Alameda, and its employee co-
5 defendants, as compromised pursuant to the terms of the Settlement Agreement
6 and General Release and the periodic payment scheduled (Exhibit E to the
7 Declaration of Robert A. Buccola in support of Minors' Compromise) is approved,
8 specific to the payment schedule based on attorneys' fees awarded by this Court.
- 9 2. Each Plaintiffs' request for \$5,000.00 to be placed into a blocked savings account
10 through Wells Fargo, for current counseling and academic needs is approved. The
11 blocked accounts will belong to the minor Plaintiffs, Ronald J, Noah J. and Nora J. No
12 withdrawals of principal or interest may be made from the blocked accounts without
13 a further court order under this case name and number requested by foster
14 mothers, Lois [REDACTED] and Ta-Tanisha [REDACTED], signed by a judicial officer, and bearing
15 the seal of this court, until the minor attains the age of 18 years. When the minor
16 attains the age of 18 years, the depository, without further order of this court, is
17 authorized and directed to pay by check or draft directly to the former minor, upon
18 proper demand, all moneys including interest deposited under this order.
- 19 3. Plaintiffs' counsel may attach the fully-executed settlement documents, when
20 obtained, to this Order for purposes of submitting same to The Prudential Insurance
21 Company of America.
- 22 4. The Court approves a payment of \$1,845.00 to the Victim Compensation Program
23 for Ronald J.
- 24 5. The Court approves the distribution of attorney's fees to Plaintiffs' counsel as set
25 forth in the Amended Minors' Compromise, not to exceed a 25% fee.
- 26 6. Should delays in effectuating the financial terms of this settlement cause a decrease
27 in the future payout amount to be received by Ronald J., Nora J. and Noah J., no
28 further pleading or order of this Court shall be necessary, so long as the total

1 payout to each minor is no less than 97% of the amounts set forth in the Minors'
2 Compromise and Declaration of Counsel, all other variables (payout dates, purchase
3 price of annuities) remaining the same.

- 4 7. The Court approves dismissal of all claims, of all Plaintiffs, as against Defendant
5 County of Alameda, with prejudice. Plaintiffs' counsel shall submit dismissal
6 promptly after the annuities set forth in the settlement documents have been
7 funded, and all other due consideration has been received by Plaintiffs' counsel.

8 **IT IS SO ORDERED.**

9
10 DATED: November 1, 2013


11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
U.S. DISTRICT JUDGE